REMARKS

By this Amendment, claims 1 - 3, 4 and 9 have been amended to merely clarify the recited subject matter. Claims 1-9 are pending. Please note, these amendments were not presented earlier because they are made in response to issues first raised in the final rejection. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

These amendments are supported by the originally filed application read as a whole and particularly, page 8, lines 5-13 (teaching that the mobile stations are provided with regulation means for regulating their parameters related to discontinuous transmission in response to data contained in the control signal received from the network side) and page 9, lines 1-9 (teaching that the parameters related to discontinuous transmission of the mobile station can be regulated in such a manner that in conjunction with discontinuous transmission, the mobile station is made to interpret the voice signals received from its user interface as background noise more easily than before).

Claims 1, 2 and 9 were rejected under 35 U.S.C. 102(a) as being anticipated by Suvanen et al. (WO 96/42142; hereafter "Suvanen") and claims 2-8 under 35 U.S.C. 103(a) as being unpatentable over Suvanen in view of Kokko et al. (U.S. Pat. 5,790,534; hereafter "Kokko").

Applicant traverses the rejection because the cited prior art, analyzed individually or in combination, fails to teach or suggest a method of controlling the load in a mobile communication system including "transmitting a control signal via radio path to said at least one mobile station in order to regulate the parameters indicating how discontinuous transmission should be implemented by said at least one mobile station, and regulating, by regulation means of said at least one mobile station as a response to said control signal, parameters indicating how discontinuous transmission should be implemented in such a manner that the at least one mobile station transmits telecommunication signals to the system more seldom or more often," as recited in independent claim 1 .

Similarly, the cited prior art fails to teach or suggest a mobile communication system comprising "control means responsive to the monitoring means for transmitting, via a radio path, a control signal to certain mobile stations or mobile stations in a certain area in order to regulate the parameters indicating how discontinuous transmission should be implemented by said mobile stations, when the monitoring means indicates that traffic load in some part of the system exceeds a predetermined limit. . .," as recited in independent claim 4.

Further, the cited prior art fails to teach or suggest a mobile station comprising "control means for utilizing discontinuous transmission, whereby the control means comprises signal processing means for processing the voice signals received through the user interface by utilizing parameters, which indicate how discontinuous transmission should be implemented, and which are stored in the mobile station, in order to detect speech from the voice signals received through the interface; . . . regulation means, responsive to the detection means, for changing said parameters which indicate how discontinuous transmission should be implemented and which are utilized in speech detection, in such a manner that the signal processing means interprets the voice signals received through the user interface as background noise more seldom or more often," as recited in independent claim 9.

Suvanen merely teaches a mobile station which is commanded to use a discontinuous transmission (DTX) mode, but fails to teach or suggest the use of the claim-recited control signal which affects parameters regarding how the DTX should be implemented (i.e., whether signals should be transmitted more seldom or more often). Therefore, Suvanen fails to teach that it is possible to transmit a control command to the mobile station which regulates the parameters used by the mobile station in implementing the DTX. Suvanen teaches that it is sufficient to command a mobile station to implement DTX, but such implementation is always in the same, fixed way using the same fixed parameters.

Kokko fails to remedy the deficiencies of Suvanen because Kokko merely discloses, in column 7, lines 57-59, that "the BS 14 [base station] may place MS 12 [mobile station] into a discontinuous transmission (DTX) mode of operation."

Therefore, Suvanen and Kokko fail to recognize or teach the benefit of utilizing a much more efficient control of the traffic load in the network by regulating the parameters indicating how DTX should be implemented. Thus, the cited references teach one of ordinary skill in the art away from the claimed invention by teaching that it is sufficient only to command a mobile station to use DTX, which means that DTX is always implemented with the same, constant parameters.

Accordingly, the combined teaching of Suvanen and Kokko fail to teach or suggest a solution where parameters, which indicate how DTX should be implemented, are adjusted in a mobile station as a response to a control signal transmitted over the radio path, as recited in the rejected claims. Thus, the rejection is traversed, and Applicant submits that claims 1-9 are allowable.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner believes may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: _____

Christine H. McCarthy
Reg. No.: 41,844
Tel. No.: (703) 905-2143
Fax No.: (703) 905-2500

CHM/
1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000